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BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION III

841 Chestnut Building
Philadelphia, Pennsylvania 19107

In re: Pennsylvania Power and Light Company

Robert K. Campobell
President and Chief Executive Officer
Pennsylvania Power and Light Company
Two North Ninth Street
Allentown, Pennsylvania 18101TSCA SUBPOENA NO. 222 and
CERCLA/SARA INFORMATION REQUEST

Dear Mr. Campbell:

The Environmental Protection Agency (EPA) has determined that it is appropriate to compile and evaluate information relating to the possible polychlorinated biphenyl (PCB) contamination of facilities owned or operated by Pennsylvania Power and Light.

Pursuant to Section 11(c) of TSCA, 15 U.S.C. § 2610(c) and Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), 42 U.S.C. § 9604(e), as amended by the Superfund Amendments and Reauthorization Act of 1986, (SARA), you are hereby required to provide the information specified below to EPA within thirty (30) calendar days from your receipt of this subpoena and information request unless Ms. Nichols, the EPA representative identified below, for good cause shown, extends the date for compliance with this document.

The issuance of this document does not preclude the issuance of further actions relating to this matter to you or to any other parties.

In responding to this subpoena and information request, you should base your answers on information in your possession or reasonably available to you. Where information necessary for a complete response is neither in your possession nor reasonably available to you, indicate this fact in your response and, if possible, identify any source that either possesses or is likely to possess such information.

Your responses are required to be signed and must be attested to under oath. Your response shall be made to the EPA Representative identified on page 4 of this action, unless it contains confidential business information.

Pursuant to the regulations appearing at 40 C.F.R. Part 2, Subpart B, you are entitled to assert a business confidentiality claim covering any part of the submitted information. Unless such a confidentiality claim is asserted at the time the required information is submitted, EPA may make this information available to the public without further notice to you. Information subject to a business confidentiality claim may be made available to the public only to the extent set forth in the above-cited regulations. Any such claim for confidentiality must conform to the requirements set forth in 40 C.F.R. § 2.203(b).

If any portion of your response to this action contains information which you claim as business confidential, it is recommended that you submit that portion of the response in accordance with the following procedures. The material itself should be marked to indicate that it is claimed confidential. It should be placed in an envelope addressed to the EPA Representative identified at the end of this action. The envelope should be marked "Confidential Business Information - To Be Opened By Addressee Only." The envelope should then be placed in a second, "outer" envelope addressed to:

Edward Cohen (3HW40)
Document Control Officer
U.S. Environmental Protection Agency
EPA - Region III
841 Chestnut Street
Philadelphia, PA 19107

The package should then be mailed, by registered mail, to Mr. Cohen.

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DEFINITIONS

"PCB" and "PCBs" have the meaning contained in 40 C.F.R. § 761.3 as follows: "any chemical substance that is limited to the biphenyl molecule that has been chlorinated to varying degrees or any combination of substances which contains such substance."

"Soil" has the meaning contained in 40 C.F.R. § 761.125 as follows: "all vegetation, soils, and other ground media, including but not limited to sand, grass, gravel and oyster shells."

"Storage Area" means an area where electrical equipment designed to be used in the transmission and/or distribution of electrical power is placed for later use or disposal.

"Workshop" means an area used in the maintenance, repair, or servicing of equipment involved in the transmission and/or distribution of electrical power.

INFORMATION TO BE SUBMITTED TO EPA

1. Identify the location of facilities, substations, workshops, or storage areas currently or previously owned by Pennsylvania Power and Light, which currently or previously contained any oil-filled capacitors. In your response, identify the street address, town, county, state, and zip code of each such location. For each location, list each capacitor currently or previously kept at that location including serial number, oil volume, trade name of oil, and PCB content. State the dates and duration of time during which each such capacitor was located at each location. Include any analysis results stating PCB content of oil in the capacitors. If you do not have information to provide a precise answer to any part of this question, provide all information which bears on or relates to the question, however incomplete or imprecise.

2. In a meeting on October 21, 1987, between representatives of EPA and Pennsylvania Power and Light, the Pennsylvania Power and Light representative informed EPA that, in the past, it has been a common practice to puncture damaged capacitors to lessen internal pressure. Identify each facility, substation, workshop or storage area at which this practice occurred. Include a list of known occurrences of

puncturing damaged capacitors, including date, capacitor serial number, and volume of oil released. Indicate whether or not the capacitor contained PCB oil. Describe cleanup measures taken, including date of cleanup, cleanup procedure used, amount and type of materials removed, method of disposal of any PCB contaminated items, and include copies of relevant disposal manifests. If you do not have information to provide a precise answer to any part of this question, provide all information which bears on or relates to the question, however incomplete or imprecise.

3. Were any samples for PCB analysis taken from soil or solid surfaces including but not limited to metals, glass, aluminum siding, enameled or laminated surfaces, wood, concrete, asphalt, and plasterboard at any facility, substation, workshop, or storage area? (It is not necessary to include samples taken by EPA Region III at the Akron substation on June 10th and 11th, 1987). If so, list the date each sample was taken, a description of the location of the sample, and the sample collection procedure. Enclose copies of results of analyses for each sample.

The failure to respond fully and truthfully to the subpoena and information request within thirty (30) calendar days of receipt of this letter, or to adequately justify such failure to respond, can result in an enforcement action by EPA pursuant to Section 11(c) of TSCA, 15 U.S.C. 82610(c), and/or Section 104 of CERCLA. Each of these statutes permit EPA to seek the imposition of penalties of up to twenty-five thousand dollars (\$25,000) for each day of continued non-compliance. Please be further advised that provision of false, fictitious, or fraudulent statements or representations may subject you to criminal fines of up to \$25,000 per day of violation, imprisonment up to one year, or both.

In addition, the Criminal Fine Enforcement Act of 1984, P.L. 98-596, provides for fines in excess of the amount specified in these statutes under certain circumstances.

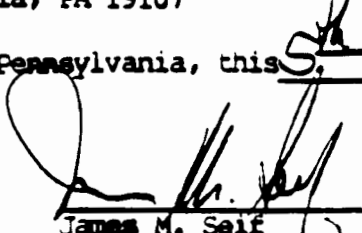
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If you have any questions concerning this action, please contact Ms. Lisa Nichols, at (215)597-4651. Your answer should be submitted by first-class mail, or any equally reliable means, to Ms. Nichols at the following address:

Ms. Lisa Nichols (3HW41)
U.S. Environmental Protection Agency
841 Chestnut Street
Philadelphia, PA 19107

Issued in Philadelphia, Pennsylvania, this 5th day of, April, 1988.


James M. Seif
Regional Administrator
EPA Region III
Philadelphia, PA 19107